

HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

SHANNON BRUCE MORLEY,

Plaintiff,

v.

SHARON BOGINSKE and MARIN FOX  
HIGHT,

Defendant.

CASE NO. C10-5022RBL

ORDER

THIS MATTER comes on before the above-entitled court sua sponte.

On December 27, 2010, this Court entered an Order Adopting the Report and Recommendation Revoking *In Forma Pauperis* Status [Dkt. #31]. That Order directed the plaintiff to pay the \$350.00 filing fee within 30 days and indicated the action would be dismissed if he failed to do so. The filing fee was due on January 26, 2011. On January 31, 2011, the Clerk received a letter from the plaintiff dated January 25, 2011 which states:

Could you please send me the trial schedule for above case? [C10-5022RBL/KLS] I just paid the \$350.00 and need to know new schedule.

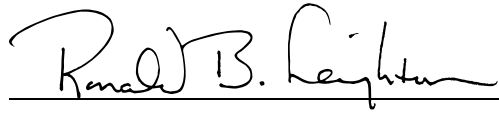
The letter did not include payment of the filing fee and no filing fee has been paid to date. Given plaintiff's history of misrepresentations in his previous filings, his representation that he "just

1 paid the \$350.00" is not credible. Therefore, this matter is **DISMISSED** for failure to pay the  
2 filing fee.

3 **IT IS SO ORDERED.**

4 The Clerk shall send uncertified copies of this order to all counsel of record, and to any  
5 party appearing pro se.

6 Dated this 9<sup>th</sup> day of February, 2011.

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9 RONALD B. LEIGHTON  
10 UNITED STATES DISTRICT JUDGE  
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